

**TOMPKINS, McGUIRE, WACHENFELD & BARRY, LLP**

*Counselors at Law*

FOUR GATEWAY CENTER  
100 MULBERRY STREET  
NEWARK, NEW JERSEY 07102-4056  
Newark (973) 622-3000  
New York (212) 714-1720  
Fax (973) 623-7780  
www.tompkinsmcguire.com

William B. McGuire  
*Managing Partner*

Tel: (973) 623-7750  
E-Fax: (973) 623-7744  
wmcguire@tompkinsmcguire.com

February 27, 2013

**VIA ECF**

The Honorable Dennis M. Cavanaugh  
United States District Court  
M.L. King, Jr. Federal Building & Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

*In re Merck & Co., Inc. Vytarin/Zetia Securities Litigation*  
Civil Action No. 08-2177 (DMC) (JAD)

*In re Schering-Plough Corporation/ENHANCE Securities Litigation*  
Civil Action No. 08-397 (DMC) (JAD)

Dear Judge Cavanaugh:

We represent Merck & Co., Inc. and Schering-Plough Corporation in the above-captioned cases. On behalf of all parties, we write to advise the Court that the parties have entered into agreements in principle to settle both the Merck and Schering-Plough securities class action lawsuits. With these settlements, all of the remaining Vytarin/ENHANCE litigation that is pending before Your Honor will have been resolved.

Accordingly, the parties respectfully request that all proceedings in the Merck and Schering-Plough cases be stayed pending submission of the settlement agreements for approval by the Court. The parties will use best efforts to draft the settlement documentation within the next 30 days, and Plaintiffs will move for preliminary approval of the settlements shortly thereafter.

Respectfully submitted,



William B. McGuire

For TOMPKINS, McGUIRE, WACHENFELD & BARRY